

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 83, Page 81, Section 184.865, Line 7, by inserting after all of said section and line,
3 the following:
4

5 "190.098. 1. In order for a person to be eligible for certification by the department as a
6 community paramedic, an individual shall:

7 (1) Be currently certified as a paramedic;

8 (2) Successfully complete or have successfully completed a community paramedic
9 certification program from a college, university, or educational institution that has been approved by
10 the department or accredited by a national accreditation organization approved by the department;
11 and

12 (3) Complete an application form approved by the department.

13 2. A community paramedic shall practice in accordance with protocols and supervisory
14 standards established by the medical director. A community paramedic shall provide services of a
15 health care plan if the plan has been developed by the patient's physician or by an advanced practice
16 registered nurse or a physician assistant and there is no duplication of services to the patient from
17 another provider.

18 3. Any ambulance service shall enter into a written contract to provide community
19 paramedic services in another ambulance service area, as that term is defined in section 190.100.
20 The contract that is agreed upon may be for an indefinite period of time, as long as it includes at least
21 a sixty-day cancellation notice by either ambulance service.

22 4. A community paramedic is subject to the provisions of sections 190.001 to 190.245 and
23 rules promulgated under sections 190.001 to 190.245.

24 5. No person shall hold himself or herself out as a community paramedic or provide the
25 services of a community paramedic unless such person is certified by the department.

26 6. The medical director shall approve the implementation of the community paramedic
27 program.

28 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
29 under the authority delegated in this section shall become effective only if it complies with and is
30 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
31 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
32 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
33 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
34 August 28, 2013, shall be invalid and void.

35 190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

36 (1) "Advanced life support (ALS)", an advanced level of care as provided to the adult and
37 pediatric patient such as defined by national curricula, and any modifications to that curricula

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1 specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

2 (2) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed,
3 constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for
4 the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless,
5 or who require the presence of medical equipment being used on such individuals, but the term does
6 not include any motor vehicle specially designed, constructed or converted for the regular
7 transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise
8 not acutely ill, or emergency vehicles used within airports;

9 (3) "Ambulance service", a person or entity that provides emergency or nonemergency
10 ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245, and
11 the rules promulgated by the department pursuant to sections 190.001 to 190.245;

12 (4) "Ambulance service area", a specific geographic area in which an ambulance service has
13 been authorized to operate;

14 (5) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric
15 patient as defined by national curricula, and any modifications to that curricula specified in rules
16 adopted by the department pursuant to sections 190.001 to 190.245;

17 (6) "Council", the state advisory council on emergency medical services;

18 (7) "Department", the department of health and senior services, state of Missouri;

19 (8) "Director", the director of the department of health and senior services or the director's
20 duly authorized representative;

21 (9) "Dispatch agency", any person or organization that receives requests for emergency
22 medical services from the public, by telephone or other means, and is responsible for dispatching
23 emergency medical services;

24 (10) "Emergency", the sudden and, at the time, unexpected onset of a health condition that
25 manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing
26 an average knowledge of health and medicine, to believe that the absence of immediate medical care
27 could result in:

28 (a) Placing the person's health, or with respect to a pregnant woman, the health of the woman
29 or her unborn child, in significant jeopardy;

30 (b) Serious impairment to a bodily function;

31 (c) Serious dysfunction of any bodily organ or part;

32 (d) Inadequately controlled pain;

33 (11) "Emergency medical dispatcher", a person who receives emergency calls from the
34 public and has successfully completed an emergency medical dispatcher course, meeting or
35 exceeding the national curriculum of the United States Department of Transportation and any
36 modifications to such curricula specified by the department through rules adopted pursuant to
37 sections 190.001 to 190.245;

38 (12) "Emergency medical response agency", any person that regularly provides a level of
39 care that includes first response, basic life support or advanced life support, exclusive of patient
40 transportation;

41 (13) "Emergency medical services for children (EMS-C) system", the arrangement of
42 personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency
43 medical services required in prevention and management of incidents which occur as a result of a
44 medical emergency or of an injury event, natural disaster or similar situation;

45 (14) "Emergency medical services (EMS) system", the arrangement of personnel, facilities
46 and equipment for the effective and coordinated delivery of emergency medical services required in
47 prevention and management of incidents occurring as a result of an illness, injury, natural disaster or
48 similar situation;

(15) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;

(16) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the department in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

(17) "Emergency medical technician-community paramedic", "community paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-paramedic and is licensed by the department in accordance with standards prescribed in section 190.098;

(18) "Emergency medical technician-intermediate" or "EMT-I", a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;

[(18)] (19) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

[(19)] (20) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or emergency medical response agency;

[(20)] (21) "First responder", a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

[(21)] (22) "Health care facility", a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed;

[(22)] (23) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

[(23)] (24) "Medical control", supervision provided by or under the direction of physicians to providers by written or verbal communications;

[(24)] (25) "Medical direction", medical guidance and supervision provided by a physician to an emergency services provider or emergency medical services system;

[(25)] (26) "Medical director", a physician licensed pursuant to chapter 334 designated by the ambulance service or emergency medical response agency and who meets criteria specified by the department by rules pursuant to sections 190.001 to 190.245;

[(26)] (27) "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

[(27)] (28) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

[(28)] (29) "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative

organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

[(29)] (30) "Physician", a person licensed as a physician pursuant to chapter 334;

[(30)] (31) "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

[(31)] (32) "Professional organization", any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, EMT-B's, nurses, EMT-P's, physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

[(32)] (33) "Proof of financial responsibility", proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

[(33)] (34) "Protocol", a predetermined, written medical care guideline, which may include standing orders;

[(34)] (35) "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

[(35)] (36) "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

[(36)] (37) "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

[(37)] (38) "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

[(38)] (39) "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

[(39)] (40) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

[(40)] (41) "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

[(41)] (42) "STEMI center", a hospital that is currently designated as such by the department

1 to care for patients with ST-segment elevation myocardial infarctions;

2 [(42)] (43) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the
3 department;

4 [(43)] (44) "Stroke care", includes emergency transport, triage, and acute intervention and
5 other acute care services for stroke that potentially require immediate medical or surgical
6 intervention or treatment, and may include education, primary prevention, acute intervention, acute
7 and subacute management, prevention of complications, secondary stroke prevention, and
8 rehabilitative services;

9 [(44)] (45) "Stroke center", a hospital that is currently designated as such by the department;

10 [(45)] (46) "Trauma", an injury to human tissues and organs resulting from the transfer of
11 energy from the environment;

12 [(46)] (47) "Trauma care" includes injury prevention, triage, acute care and rehabilitative
13 services for major single system or multisystem injuries that potentially require immediate medical
14 or surgical intervention or treatment;

15 [(47)] (48) "Trauma center", a hospital that is currently designated as such by the
16 department.

17 190.105. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct,
18 maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of
19 the transportation of patients by ambulance in the air, upon the streets, alleys, or any public way or
20 place of the state of Missouri unless such person holds a currently valid license from the department
21 for an ambulance service issued pursuant to the provisions of sections 190.001 to 190.245.

22 2. [No ground ambulance shall be operated for ambulance purposes, and no individual shall
23 drive, attend or permit it to be operated for such purposes in the state of Missouri unless the ground
24 ambulance is under the immediate supervision and direction of a person who is holding a currently
25 valid Missouri license as an emergency medical technician. Nothing in this section shall be
26 construed to mean that a duly registered nurse or a duly licensed physician be required to hold an
27 emergency medical technician's license. Each ambulance service is responsible for assuring that any
28 person driving its ambulance is competent in emergency vehicle operations and has a safe driving
29 record.] Each ground ambulance shall be staffed with at least two licensed individuals when
30 transporting a patient, except as provided in section 190.094.

31 3. No license shall be required for an ambulance service, or for the attendant of an
32 ambulance, which:

33 (1) Is rendering assistance in the case of an emergency, major catastrophe or any other
34 unforeseen event or series of events which jeopardizes the ability of the local ambulance service to
35 promptly respond to emergencies; or

36 (2) Is operated from a location or headquarters outside of Missouri in order to transport
37 patients who are picked up beyond the limits of Missouri to locations within or outside of Missouri,
38 but no such outside ambulance shall be used to pick up patients within Missouri for transportation to
39 locations within Missouri, except as provided in subdivision (1) of this subsection.

40 4. The issuance of a license pursuant to the provisions of sections 190.001 to 190.245 shall
41 not be construed so as to authorize any person to provide ambulance services or to operate any
42 ambulances without a franchise in any city not within a county or in a political subdivision in any
43 county with a population of over nine hundred thousand inhabitants, or a franchise, contract or
44 mutual-aid agreement in any other political subdivision which has enacted an ordinance making it
45 unlawful to do so.

46 5. Sections 190.001 to 190.245 shall not preclude the adoption of any law, ordinance or
47 regulation not in conflict with such sections by any city not within a county, or at least as strict as
48 such sections by any county, municipality or political subdivision except that no such regulations or

ordinances shall be adopted by a political subdivision in a county with a population of over nine hundred thousand inhabitants except by the county's governing body.

6. In a county with a population of over nine hundred thousand inhabitants, the governing body of the county shall set the standards for all ambulance services which shall comply with subsection 5 of this section. All such ambulance services must be licensed by the department. The governing body of such county shall not prohibit a licensed ambulance service from operating in the county, as long as the ambulance service meets county standards.

7. An ambulance service or vehicle when operated for the purpose of transporting persons who are sick, injured, or otherwise incapacitated shall not be treated as a common or contract carrier under the jurisdiction of the Missouri division of motor carrier and railroad safety.

8. Sections 190.001 to 190.245 shall not apply to, nor be construed to include, any motor vehicle used by an employer for the transportation of such employer's employees whose illness or injury occurs on private property, and not on a public highway or property, nor to any person operating such a motor vehicle.

9. A political subdivision that is authorized to operate a licensed ambulance service may establish, operate, maintain and manage its ambulance service, and select and contract with a licensed ambulance service. Any political subdivision may contract with a licensed ambulance service.

10. Except as provided in subsections 5 and 6, nothing in section 67.300, or subsection 2 of section 190.109, shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to promulgate laws, ordinances or regulations related to the provision of ambulance services. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

11. Nothing in section 67.300 or subsection 2 of section 190.109 shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to operate an ambulance service without a franchise in an ambulance district or a fire protection district that is authorized to provide ambulance service which has enacted an ordinance making it unlawful to do so. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

12. No provider of ambulance service within the state of Missouri which is licensed by the department to provide such service shall discriminate regarding treatment or transportation of emergency patients on the basis of race, sex, age, color, religion, sexual preference, national origin, ancestry, handicap, medical condition or ability to pay.

13. No provision of this section, other than subsections 5, 6, 10 and 11 of this section, is intended to limit or supersede the powers given to ambulance districts pursuant to this chapter or to fire protection districts pursuant to chapter 321, or to counties, cities, towns and villages pursuant to chapter 67.

14. Upon the sale or transfer of any ground ambulance service ownership, the owner of such service shall notify the department of the change in ownership within thirty days of such sale or transfer. After receipt of such notice, the department shall conduct an inspection of the ambulance service to verify compliance with the licensure standards of sections 190.001 to 190.245."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.